

Atty. Docket No.: 4231/2055E

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Choong-Chin Liew
Serial No.: 10/812,716
Filed: March 30, 2004
Entitled: Method for the Detection of Type II
Diabetes Related Gene Transcripts in
Blood

Examiner: Not Yet Assigned

Group Art Unit: 1645

Conf. No.: 5359

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450..

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing the above-identified patent application, please find the following documents:

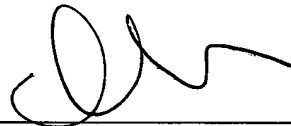
1. Response to Notice to File Missing Parts;
2. Copy of Notice to File Missing Parts;
3. The Notice states that the oath/declaration is missing; a Combined Declaration and Power of Attorney is enclosed;
4. The Notice states that the Sequence Listing fails to comply with 37 C.F.R. §§1.821-1.825, the following is enclosed:
 - a) A Response to Notice to Comply with 37 C.F.R. §§1.821-1.825;
 - b) A Statement Under 37 C.F.R. §1.821(f) and (g);
 - c) Paper copy of Sequence Listing (103 sheets);
 - d) Computer readable copy of the Sequence Listing (diskette);
5. Petition for one month Extension of Time; and
6. Return Post Card.

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U.S. Serial No. 10/812,716
Page 2

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 9409/2113C. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: 9/1/04



Name: Kathleen M. Williams
Registration No.: 34,380
Customer No.: 29933
Palmer & Dodge LLP
111 Huntington Avenue
Boston, MA 02199-7613
Tel: 617-239-0100



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PATENT

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Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Sir:

This is filed in response to the Notice to File Missing Parts of Non-Provisional Application mailed June 17, 2004.

1. The Notice stated that the basic filing fee and additional claims fee is missing. The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 4231/2055E which includes:

- a) \$65 surcharge for late filing fee for declaration; and
- b) \$55 extension of time.

2. The Notice stated that the Declaration is missing.

An executed Declaration/Power of Attorney is enclosed.

3. The Notice stated that the Sequence Listing fails to comply with 37 CFR §1.821-1.825; the following is submitted herewith:

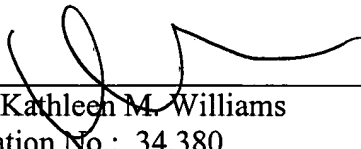
- a) A Response to Notice to Comply with 37 C.F.R. §§1.821-1.25;
- b) A Statement Under 37 C.F.R. §1.821(f) and (g);
- c) Paper copy of Sequence Listing (103 sheets); and
- d) Computer readable copy of the Sequence Listing (diskette).

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U.S. Serial No. 10/812,716
Page 2

Respectfully submitted,

Date: _____

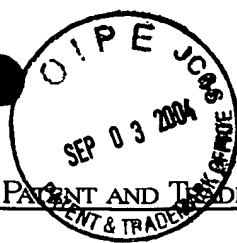
9/1/04



Name: Kathleen M. Williams
Registration No.: 34,380
Customer No.: 29933
Palmer & Dodge LLP
111 Huntington Avenue
Boston, MA 02199-7613
Tel: 617-239-0100



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FW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/812,716	03/30/2004	Choong-Chin Liew	4231/2055E

29933
PALMER & DODGE, LLP
KATHLEEN M. WILLIAMS
111 HUNTINGTON AVENUE
BOSTON, MA 02199

CONFIRMATION NO. 5359

FORMALITIES LETTER



OC000000012967638

Date Mailed: 06/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/07/2004 MHEKONEN 00000029 160085 10812716

FILED UNDER 37 CFR 1.53(b)

01 FC:2051 65.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

■ The application is informal since it does not comply with the regulations for the reason(s) indicated below.

■ The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 1-34.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450



*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE